

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1303

Introduced by Assembly Member Simitian

February 21, 2003

An act to amend Section 5201 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1303, as amended, Simitian. Vehicles: license plates: display: persons with disabilities.

Existing law requires vehicle license plates to be securely fastened at all times to the vehicle for which they are issued so as to prevent the plates from swinging, to be mounted in a position so as to be clearly visible, and to be maintained in a condition so as to be clearly legible, except as specified.

This bill would provide that it is not a violation of this requirement if the reading or recognition of a *rear* license plate is obstructed or impaired by a wheelchair lift or wheelchair carrier and the license plate is a special identification license plate, as specified, or the vehicle displays a distinguishing placard, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5201 of the Vehicle Code is amended to
2 read:

5201. License plates shall at all times be securely fastened to the vehicle for which they are issued so as to prevent the plates from swinging, and shall be mounted in a position so as to be clearly visible, and shall be maintained in a condition so as to be clearly legible. The rear license plate shall be mounted not less than 12 inches nor more than 60 inches from the ground, and the front license plate shall be mounted not more than 60 inches from the ground, except as follows:

(a) The rear license plate on a tow truck may be mounted on the left-hand side of the mast assembly at the rear of the cab of the vehicle, not less than 12 inches nor more than 90 inches from the ground.

(b) The rear license plate on a tank vehicle hauling hazardous waste, as defined in Section 25117 of the Health and Safety Code, or asphalt material may be mounted not less than 12 inches nor more than 90 inches from the ground.

(c) The rear license plate on a truck tractor may be mounted at the rear of the cab of the vehicle, not less than 12 inches nor more than 90 inches from the ground.

(d) The rear license plate of a vehicle designed by the manufacturer for the collection and transportation of garbage, rubbish, or refuse that is used regularly for the collection and transportation of that material by any person or governmental entity employed to collect, transport, and dispose of garbage, rubbish, or refuse may be mounted not less than 12 inches nor more than 90 inches from the ground.

(e) No covering may be used on license plates except as follows:

(1) The installation of a cover over a lawfully parked vehicle to protect it from the weather and the elements does not constitute a violation of this subdivision. Any peace officer or other regularly salaried employee of a public agency designated to enforce laws, including local ordinances, relating to the parking of vehicles may temporarily remove so much of the cover as is necessary to inspect any license plate, tab, or indicia of registration on a vehicle.

(2) The installation of a license plate security cover is not a violation of this subdivision if the device does not obstruct or impair the recognition of the license plate information, including, but not limited to, the issuing state, license plate number, and registration tabs, and the cover is limited to the area directly over

1 the top of the registration tabs. No portion of a license plate
2 security cover shall rest over the license plate number.

3 (f) No casing, shield, frame, border, or other device that
4 obstructs or impairs the reading or recognition of a license plate by
5 a remote emission sensing device, as specified in Sections 44081
6 and 44081.6 of the Health and Safety Code, shall be installed on,
7 or affixed to, a vehicle.

8 (g) It is not a violation of this section if the reading or
9 recognition of a *rear* license plate is obstructed or impaired by a
10 wheelchair lift or wheelchair carrier and the license plate is a
11 special identification license plate issued under Section 5007 or
12 the vehicle displays a distinguishing placard issued under Section
13 22511.55 or 22511.59. *This subdivision does not apply to a front*
14 *license plate.*

